

REMARKS

Reconsideration of the pending application is respectfully requested on the basis of the following particulars:

In the specification

The amendment filed on October 27, 2005 is objected to as introducing new matter in the disclosure. In particular, the examiner finds the addition of the term "cool" in the last full paragraph of page 3 that bridges page 4 to be new matter. The specification has been amended to delete the term "cool." In view of this amendment, withdrawal of the objection is respectfully requested.

Additionally, the specification has been amended to more clearly describe aspects of the invention that are clearly depicted in the figures, and to provide literal antecedent basis for amendments made in the claims. No new matter is added.

Rejection of claims 1-13 under 35 U.S.C. § 112, first paragraph

Claims 1-13 presently stand rejected as failing to comply with the written description requirement. In particular, the examiner asserts that the phrase "and including no other member therebetween" recited in claim 1 is new matter. Also, the examiner asserts that the limitation in claim 1 of air being "cool" is new matter.

Claim 1 has been amended to eliminate the recitation "and including no other member therebetween" and to provide instead language that more clearly describes the present invention in a manner consistent with the specification and illustrations originally filed. Claim 1 is also amended to eliminate the recitation of "cool" air.

In view of these amendments, withdrawal of this rejection is respectfully requested.

Rejection of claims 1-13 under 35 U.S.C. § 112, second paragraph

Claims 1-13 presently stand rejected as being indefinite. In particular, the examiner refers to the above-noted phrase "and including no other member therebetween"

as being unclear and inaccurate. As note above, claim 1 has been amended to eliminate the recitation “and including no other member therebetween” and to provide instead language that more clearly describes the present invention in a manner consistent with the specification and illustrations originally filed.

In view of this amendment, withdrawal of this rejection is respectfully requested

Rejection of claims 1-13 under 35 U.S.C. § 103(a)

Claims 1-13 presently stand rejected as obvious, as follows. Claims 1, 2, 5, and - 12 are rejected as being unpatentable over Taiwanese Patent 540,641 (hereafter TWP ‘641) in view of Hong (U.S. 5,582,506)(Hong ‘506); claims 1, 2, 6, 9, 11, and 12 are rejected as unpatentable over TWP ‘641 in view of Hong (5,552,700)(Hong ‘700); claim 3 is rejected as unpatentable over TWP ‘641 and Hong ‘506 and further in view of Katsui (U.S. 5,559,674); claim 4 is rejected as unpatentable over TWP ‘641 and Hong ‘506 and further in view of Gan (U.S. 6,817,939); claims 7 and 8 are rejected as unpatentable over TWP ‘641 and Hong ‘506 and further in view of either Ko (U.S. 2004/0201961) or Chen (U.S. 6,524,067); and finally claim 13 is rejected as unpatentable over TWP ‘641 and Hong ‘506 and further in view of Bendikas (U.S. 6,457,949).

These rejections are respectfully traversed for the following reasons.

Claim 1 has been amended to more particularly define the present invention, and claims 3, 4, 8, and 13 have been amended in the interest of improved clarity and form.

Claim 1 is characterized in that a heat dissipating fan includes a fan-supporting cover plate that includes a fan-supporting base. An impeller is mounted to the fan-supporting base of the cover plate to constitute a fan unit (the fan unit thus including the base, cover plate, and impeller). An air guiding member is provided, having an annular sidewall that defines an air passageway between first and second ends of the air guiding member.

The air guiding member is constructed as a single, hollow member, there being no part of the air guiding member formed in the air passageway. The first end of the air

guiding member is connected to the cover plate in a stacked relationship, such that a portion of the fan unit is received in the air passageway to define a first section of the air passageway (wherein the portion of the fan unit is received), and a second section wherein the air passageway is entirely free of obstructions functions such that air running through the passageway of the air guiding member can naturally pass through near regions below the hub portion of the fan unit and then exhaust from the expanded air outlet of the guiding member.

It is respectfully submitted that the cited references, either individually or in any combination, do not teach or suggest each and every element set forth in claim 1.

TWP '641 fails to disclose a fan unit spaced apart from an air outlet for allowing air to pass through near regions below a hub portion of the fan unit. In other words, it fails to disclose an annular sidewall defining an air passageway that has an unobstructed part for confining air in the air passageway to pass through near regions below a hub portion of a fan unit. Instead, TWP '641 only discloses an auxiliary frame 70 and a frame 52 (see Fig. 9) for accommodating a fan wheel 60. The top frame 70 cannot use to confine cool air to pass through below a hub portion of the fan wheel 60.

The frame 52 has a base plate (not numbered) and a plurality of ribs 56 arranged at an air outlet of the air passageway, leaving **no portion** of the air passageway that extends **past the hub** portion of the fan wheel unobstructed. In other words, TWP '641 does not have **a first section** of the air passageway wherein a portion of the fan blades and hub are received, **and a second unobstructed section** of the air passageway **below the hub portion of the fan unit**.

While the examiner contents that "it would have been obvious to a person having ordinary skill in the art to remove the ribs 56 at the outlet [...]," applicant respectfully disagrees. While the examiner states that removing the ribs would be obvious "for the purpose of simplifying assembly and reducing the cost and complexity of the fan unit," Applicant notes that the **ribs are required** to support the fan motor 58 and blade structure 60, since the fan motor 58 is entirely supported on the frame 52 by the rib structure of the

frame 52. Furthermore, rather than “simplifying assembly and reducing the cost and complexity of the fan unit,” removing the ribs presents the problem of how, in the absence of the ribs, the fan motor is to be supported.

Applicant refers the examiner to U.S. 2003/0202878 (Huang), which corresponds to TWP ‘641. Huang states that “the fan 50 comprises a frame 52 [...], a driving motor 58 mounted within the frame 52 for driving the fan 50 to operate, and a blade structure 60 connected to the driving motor.” With reference to the figures, it is clear that the driving motor 58 is mounted to the rib structure of the frame 52. Eliminating the ribs would leave the fan unsupported. Therefore, TWP ‘641 cannot be construed to provide any teaching or suggestion of *a first section* of the air passageway wherein a portion of the fan blades and hub are received, *and a second unobstructed section* of the air passageway *below the hub* portion of the fan unit, because the ribs, which are required to support the fan, are located at the outlet end of the frame 52.

Both Horn ‘506 and Horn ‘700 similarly lack these required elements recited by claim 1 of the present invention, as the examiner acknowledges in the recent office action, stating (at page 4 of the office action) that “Horn ‘506 and Horn ‘700 *are only relied upon* to teach respective impellers 2, 2 mounted to respective bases 32, 11 of respective cover plates 3, 1.” Thus, even the combination of TWP ‘641 and Horn ‘506 or Horn ‘700 fails to disclose or suggest the claimed structure of the present invention wherein an air guiding member includes an annular sidewall that defines an air passageway between first and second ends of the air guiding member, a first portion of the air passageway receives a portion of the fan unit, and a second portion of the air passageway (proximate to the air outlet) is left entirely unobstructed.

It is respectfully submitted that none of the references applied in the Official Action discloses or suggests an air guiding member including an air passageway dividing into two sections wherein the first section receives a portion of the fan unit and the second section extends beyond the fan unit and is unobstructed. Thus, it is respectfully submitted that the references cited and applied in the rejection of claim 1 fail to disclose or suggest each and every element recited in claim 1 of the present application, and therefore claim 1

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and claims 2-13 are allowable because of their dependence from claim 1, and because the additionally cited references fail to overcome the deficiencies noted above with respect to claim 1. Accordingly, withdrawal of the rejections of claims 1-13 is respectfully requested.

Conclusion


In view of the amendments to the claims, and in further view of the foregoing remarks, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is requested that claims 1-13 be allowed and the application be passed to issue.

If any issues remain that may be resolved by a telephone or facsimile communication with the Applicant's attorney, the Examiner is invited to contact the undersigned at the numbers shown.

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Respectfully submitted,

  
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